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THOMAS' HOWES OF YARMOUTH, MASS., AND SOME OF
HIS DESCENDANTS, TOGETHER WITH THE REV. JOHN
MAYO, ALLIED TO HIM BY MARRIAGE.

By JAMES W. HAWES, ESQ.



YARMOUTHPORT, MASS.:
C. W. SWIFT, PUBLISHER AND PRINTER,
THE "REGISTER" PRESS,
1917.

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HOWES.(a)
FIRST GENERATION.

I. THOMAS' HOWES, b. in England; m. there Mary ; came to America about 1637; d. between Oct. 6, 1665 (date of acknowledgement of his will), and Oct. 18, 1665 (date of his inventory). His widow m.(b-d) 2d before Aug. 1, 1668, and probably before Feb. 9, 1667-8, as his 4th wife, Gov. Thomas Prence of the Plymouth

Colony, and d.(e) in Yarmouth Dec. 9, and was buried Dec. 11, 1695. Gov. Prence d.(f) in Plymouth March 29, 1673.

The will(f1) of Gov. Thomas Prence, dated March 13, 1672-3, contains the following reference to his wife:

"And Respecting my temporall estate wherwith the Lord hath blessed mee my will is that Mary my beloved wife shall have such household goods of Any kind as were hers, before wee married, Returned to her againe, after my Decease and if any of them, be much Impared or be wanting, that shee shall make it good out of my estate in such goods as shee Desireth;

"Item I give unto my said loveing wife my best bed and the furniture therunto appertaining and, the Court Cubberd that stands in the new Par-

(a) Bardsley, in his Dictionary of English and Welsh Surnames (p. 402), derives the name from two sources: 1st from the Christian name "Hugh," mentioning the South of England, and 2d from the local word "how," meaning a mound or a hill, giving instances in Cambridgeshire, the counties of Cumberland and Norfolk, and elsewhere. The name will be found in early records spelled Howe, Hows, House, &c. See "Note as to Howes," *infra*, p. 32.

(b-d) Proved by Miss Ella F. Elliot of Somerville, Mass., in 6 Mayflower Descendant (hereinafter cited as *Mf.*), 127, 230-235; 59 N. E. Reg. 217, 218; 61 *ib.* 200.

(e) 3 Yar. Recs. 328; 6 *Mf.* 230. Swift in Old Yarmouth, 117, says she died at the house of her son-in-law Jeremiah Howes. He was also her own son.

(f) 3 *Mf.* 203.

(f1) 3 *Mf.* 204, 205. (3 *Plym. Col.* Wills, pt. 1, p.p. 58-70.)

four with the Cloth and Cushen that is on it, and an horse and three Cowes such as shee shall make Choise of, and foure of my best silver spoones and alsoe During her Naturall life, I give her the Rents and proffitts of my prte of the mill att Satuckett; and of the lands adjoining, and my Debts and legacyes being first payed; I Doe further give unto my said wife a full third prte of my prsonall estate that Remaines." He made her sole executrix of his will.

His inventory,(f2) dated April 23, 1673, contains a list of the "goods mistris Mary Prence had before Marriage." She swore to the inventory June 5, 1673.(f3)

Thomas¹ Howes was first in Lynn and afterward settled in Yarmouth, of which he was one of the three original proprietors. He settled at Nobscusset on the north side of Cape Cod, which afterwards became a part of the town of Dennis.(g) He was one of those in August, 1643, between 16 and 60 years of age, able to bear arms in Yarmouth.(h) He was one of the deputies from Yarmouth to the General Court at Plymouth for six years, commencing in 1652.(i) The tax of his widow (then also the widow of Gov. Prence) in 1676 "towards the charges of the late war" was £1 3s. 4d.(j)

The first mention of Thomas¹ Howes is in the court records of Essex coun-

ty in September, 1638. At the 10th Quarter Court, held at Salem Sept. 25, 1638, in the suit of Mr. Holgrave against Thomas Howes for trespass, the jury found for the plaintiff seven bushels and a half of corn and four shillings costs.(k) At the same court Abram Temple obtained a verdict for two bushels of corn, five shillings damages and four shillings costs against Mr. John Humphreys, Mr. Howes and Mr. Hawks for trespass done by their horses; Hugh Browne, a verdict for three bushels of corn, seven shillings and sixpence damages and four shillings costs against Thomas Howes for trespass; James Molton, a verdict for eleven bushels and one peck of corn and four shillings costs against Mr. Howes and Mr. Hawks for trespass; James Hinds, a verdict against the same two for four bushels and a half of corn and four shillings costs for trespass; and Henry Skerry, a verdict against the same two, also, for trespass, for the same amount of corn and costs.(k)

He is first mentioned in the Plymouth Colony records in December, 1638. Mr. John Crow and Mr. Thomas Howes, of Mattacheese, otherwise called Yarmouth, took the oath of allegiance to the King and of fidelity to the government December 18, 1638.(l) At the court held January 7, 1638-9, it appears that a grant of land at Yarmouth had been made to Mr. Anthony Thacher, Mr. Thomas Howes and Mr. John Crow, together with John Coite "to be enquired of," and that Mr. Howes proposed to take up his freedom at Yarmouth.(m)

(k) 7 Essex Inst. Hist. Colls. 187, 188; 3 Essex Antiquarian, 81, 85, 126.

(l) 1 Plym. Col. Recs. 107.

(m) Ib. 108.

(f2) Ib. 213, 214.

(f3) Ib. 216.

(g) Swift's Old Yarmouth, 24.

(h) Ib. 34, 35; 8 Plym. Col. Recs, 194.

(i) Plym. Col. Recs.

(j) Swift 105; 2 Freeman's Cape Cod, 195.

Feb. 29, 1638-9, Richard Walker, planter, of Lynn, appointed Edward Dillingham, gentleman, of Sandwich, his attorney, to sue Howes, planter, late of Lynn and then of Mattacheese, for damages sustained by him as surety for Howes for a debt to Samuel Smith. Smith had sued Walker and Howes before the Governor, Council and Assistants of Massachusetts and Jan. 4, 1638-9, had recovered against them 30 bushels of corn and 10s. costs, whereupon Walker had been compelled to pay the sum of £9 10s. and had been put to other charges to the amount of 12s.(n) March 5, 1638-9, it was "ordered by the Court that Mr. Nicholas Sympkins, William Palmer, Phillip Tabor, and Josuah Barnes, of the towne of Yarmouth, shalbe added to Mr. Anthony Thacher, Mr. Thom Howes, & Mr. John Crowe, comittees of the said place, to make an equall division of the planting landes now to be devided at this first division there, to eich man according to his estate and qualitie, and according to their instructecons; and that Josuah Pratt, of Plymouth, and Mr. John Vincent, of Sandwich, shall view the landes there, and make report thereof unto the Court, that if those proporcons wch Mr. Andrew Hellot hath assumed to himself there shalbe so pjudiciall to the whole, that then some just and equall order maybe taken therein, to pvent the evell consequence it may

(n) Lechford's Notebook, 7 Transactions of Am. Antiquarian Soc. [31] 50, 51. The editor seems to think there was a Samuel Howes in Yarmouth at this time, but there was not. There was a Samuel House in Barnstable, but he lived most of his life in Scituate and died there.

be to the whole plantacon."(o) Sept. 3, 1639, Mr. Thomas Howes, of Yarmouth, was proposed to be a freeman at the next court.(p)

At the court held March 3, 1639-40, the following record appears: "Whereas Mr. Thacher, Mr. Crowe, & Mr. Howes, the comittees of Yarmouth, were complayned of to have made unequall divisions of lands there, whereupon the said comittees have exhibited a very formall division of the said lands unto the Court, wch is well approved of, and the Court doth further order, that the said comittees shall receive no more inhabitantes into the said towne, except they bring certificate from the places whence they come, under sufficient mens handes of the sd places, of their religious and honest carriage, wch certifycate shall first be allowed by the govnr and assistantes before such psons be admitted there."(q) June 17, 1641, "a warrant [was] granted to distraine xij s upon Emanuel White for keepeing cowes, and upon Mr. Sympkins xvj s, and Mr. Howes 16s, if Mrs Fuller will not pay the sd 16s for Howes."(r) From the same record it appears that he and William Chase and Joshua Barnes had incurred expenses as a committee for the town, and a rate was ordered to defray them. June 7, 1642, Mr. Thomas Howes of Yarmouth, planter, was surety for the appearance at Court of Joshua Barnes in the sum of £40. The bond was afterwards released.(r1)

(o) 1 Plym. Col. Recs. 117.

(p) Ib. 132.

(q) Ib. 142.

(r) 2 ib. 20.

(r1) 2 ib. 41.

June 5, 1644, he is named as constable of Yarmouth.(s) August 20, 1644, "Mr. Anthony Thacher, Mr. Thomas Howes, & Mr. Willm Lumpkin, of Yarmouth, or any two of them, are appoynted by the Court to lay forth the farm land graunted to Nathall Sowther neere Billingsgate; and the Court confirms the same unto him.(t)" March 3, 1644-5, it was "ordered by the Court, that Mr. Thomas Starr shall have psently layd forth for him at Yarmouth fifty acres of upland, either next to Elder Hores or Mr. Howes landes at Seshewit, on wch side he will, so that it adjoyne to one of them."(u) June 2, 1646, Mr. Thomas Howes was foreman of the grand jury.(v) June 1, 1647, Thomas Howes was admitted a freeman and sworn.(w) June 7, 1648, Mr. Thomas Howes was foreman of a jury.(x)

Captain Standish, who had been appointed by the Court March 7, 1647-8, to have a hearing "and to put an end to all differences as doe remayne in the towne of Yarmouth," made his report May 14, 1648, which included the following: "whereas Mr. Thatcher, Mr. Howes, and Mr. Crow, comittees of this plantation of Yarmouth, in consideration of thayer charges about the discovering, purchas, and other charges by them disbursed, about the same, have clamed and taken up, viz, Mr. Thatcher, 130 acars of upland, and twenty six acres of meadowe for a farme, and Mr. Howes 100 acars of upland, and 20 acars of meadowe for his

fearme, or great lot,—the towne hath allowed Mr. Thatcher an hundred and tenne acares of upland, and his twenty-six acares of meadowe, and hee hath layed downe to the towne the other twenty acares of upland, and likewise the towne have graunted unto Mr. Howes fourscore acars of upland, and twenty acares of meadow, and hee hath layed downe to the towne, in lieu of the other twenty acares of land by him taken up in his great lot, twenty acars lying in Rock Furland, next on the west side of Edward Sturges land, bought of Gabriell Wheildin; and lickwise the towne hath allowed unto Mr. Crow 4 score acars of upland, and twenty acars of meadowe, wherof som part is taken up allredy, and the rest to bee taken up by him where hee shall find it convenient, and twenty acars hee remits to the towne, which the towne accepts, and is satisfied in full in respecte of any differences yt hath been betwext the towne and them, and everyone of them, in respecte of their farmes or great lots, or any greewances about the laying out of lands from the begining of the plantation to the 13th day of May, 1648, aforsaid. Also, Mr. Thatcher and Mr. Howes hath layed down to the use of the town, viz, Mr. Thatcher 12 acares of upland neare the Great Basse Pound, and Mr. Howes hath layed downe 10 acares of upland in Nobscussett, lying there in a furland called Rabbits Ruine, in lieu of 12 acares a peece claimed by them, and taken up heertofore, in consideration of charges about the laying out of lands in the winter 1638, which apees in thayer acompte given into Court, ano 1640, which the towne hath otherwise satisfied upon agreement."

"It is lickwise granted yt Mr. Howes

- (s) Ib. 72.
- (t) Ib. 76.
- (u) Ib. 81, 82.
- (v) Ib. 102.
- (w) Ib. 114.
- (x) Ib. 126.

shall have 17 acars in the Eastern Meadow, and at the easterne end in the Swan Ponds, in liewe of 17 acars of meadow Mr. Howes hath taken up in Nobscussett, als Sassuett Necke, and sould to Thomas Burman: hee hath layed downe to the townes use 7½ acars of meadowe, late Mr. Hal-lotts, lying at the lower end of the rocke tree furland, and eight acares of meadow, late William Chases, lyeing next unto Edward Sturges meadow, between the river and Mr. Simkins necke."

"The 15th day of May, 1648. It is agreed by Captain Standish, Mr. Crow, Mr. Thatcher, and Mr. Howes, the comittees of this plantation of Yarmouth, and Richard Hore, Mr. Hawes, William Nicorsone, William Pallmer, and Robert Dennis, in the behalfe of the towne, that Mr. Staare, William Nichorsone, and Robert Dennis shall bee joynd to the comittees for this psent year, and thence after by the towne: thay have thayer liberty to choose other three to the comittees aforsaid, so yt the comittees shall not heerafter dispose of any lands, either uplands or meadow, without the consent of those three or tow of them, and if any difference arise between them which they cannot compose themselves, yt thay repayer to Captain Standish for his dyrec-tion."(y)

June 5, 1650, Mr. Thomas Howes, with Samuel Mayo, was appointed administrator of the estate of Samuel Hallet, deceased.(z)

Oct. 2, 1650, Mr. Thomas Howes with a number of others had a suit against William Nickerson for slander, claiming £100 damages, which

was referred to the magistrates, to decide and compose the controversy. The decision was: "The Court doe judg yt the said Willam Nickarson, in regard of his offensive speaches against sundry of the towne, to have carried himselfe therin unworthily, and desire him to see his evell therin, and to bee redy to acknowldg it; and yt those hee hath offended in that be-halfe should rest therin."(a)

June 7, 1651, he was on a jury.(b) Oct. 14, 1651, Mr. Howes had in his keeping belonging to John Barnes of Plymouth a pied cow, "the said Cow being put forth to the said Mr. Howes to halfe the encreas," which had produced two heifers and a steer calf.(c) June 7, 1652, Mr. Thomas Howes is named as a deputy to the General Court from Yarmouth.(d) Oct. 5, 1652, it appeared that Mr. Howes had been appointed for Yarmouth by the Colonial Treasurer to receive the oil for the county.(e) June 7, 1653, Mr. Thomas Howes was named as one of the deputies to the General Court from Yarmouth.(f) June 6, 1654, he was on the grand jury.(g) It appears March 5, 1656-7, that he and Mr. Anthony Thacher had purchased lands of Janno, an Indian sachem, and, as the Indian claimed, had not paid for them. Mr. Thacher was directed to appear and answer at the next May court.(h) May 8, 1657, Mashantampaine, Sagamore of Yarmouth, acknowledged that he had

(y) Ib., 128-130.

(z) Ib. 156.

(a) 7 ib. 50.

(b) Ib. 54.

(c) 12 ib. 215.

(d) 3 ib. 9.

(e) Ib. 17.

(f) Ib. 32.

(g) Ib. 49.

(h) Ib. 113.

received full compensation from Anthony Thacher, Mr. John Crow and Mr. Thomas Howes for land he had sold to "Mr. William Bradford, Esq." (i) June 1, 1658, he is named as a deputy from Yarmouth. (j) May 14, 1658, Mr. John Alden and Capt. Josias Winslow, having been appointed arbitrators by the court, agreed with Janno upon the amount due him and decided that of that amount Mr. Anthony Thacher, Mr. Howes and Mr. Crow should pay one half and the town of Yarmouth the other half and the sum of £6 in charges which the town had been to about the business, should be borne, £4 by the town and 20s. each by Mr. Thacher and Mr. Howes, "old Mr. Crow" being excused from paying any part of it. (k)

It appears that Capt. Myles Standish with the consent of Mrs. Barbara Standish, his wife, had sold to Thomas Howes a farm lying in the liberties of Yarmouth, the deed being recorded Oct. 5, 1658. (l) June 7, 1659, Mr. Howes is named as a deputy from Yarmouth; (m) also, June 6, 1660. (n) June 13, 1660, he was a deputy to consider the trade at Kennebeck and met in conference on the subject. (o) Oct. 2, 1660, Mr. Howes attended a special session of the General Court. (p) On March 5, 1660-1, the following entry was made:

"Whereas this Court is given to understand that there are certaine

cottages to bee erected, or in erecting, within the townshipp of Yarmouth, contrary to order of the Court, the Court ordereth Mr. Anthony Thacher and Mr. Thomas Howes, Senir, that they take dilligent care henceforth, from time to time, that noe more houses bee erected there contrary to the said order; and incase any after theire probhibition shall psist soe to doe, then they to signify the same to the Court, and attend their further order." (q)

April 1, 1661, he witnessed a deed by Indians to John Howland, Sr., of Plymouth, and others. (r) June 3, 1662, Mr. Thomas Howes is named as a deputy from Yarmouth to the General Court. (s) He was appointed June 10, 1662, one of the committee to take the account of the Colonial Treasurer. (t) June 9, 1662, he was on the committee to take the Colonial Treasurer's account and signed the report. (u) March 3, 1662-3, he and Robert Dennis obtained judgment for £10 damages and the costs of the suit against William Nickerson, Sr., they complaining "in the behalfe of themselves and the rest of theire neighbours, whoe by towne order are to have theire shares of the whales this yeare, wh by Gods providence are or shalbee cast up within theire townshippes," "for unjust molestation in unjust attachment of the blubber of a whale belonging to the complainants." (v) June 7, 1665, the Court

(i) Swift, 95, 96; 2 Freeman, 292.

(j) 3 Plym. Col. Recs. 135.

(k) Ib. 146.

(l) 13 Mf. 142, 143; 2 Plym. Col. Deeds, pt. 2, p. 11.

(m) 3 Plym. Col. Recs. 162.

(n) Ib. 187.

(o) Ib. 194, 195.

(p) Ib. 198.

(q) Ib. 207.

(r) 2 Plym. Col. Deeds, pt. 2, p. 61; 16 Mf. 78.

(s) 4 Plym. Col. Recs. 14.

(t) Ib. 21.

(u) 8 ib. 106. No doubt the same occasion as the next above.

(v) 7 Ib. 106.

ordered that whereas William Nickerson had illegally purchased of the Indians a certain tract of land at "Mannamoiett" (now Chatham), he should have 100 acres thereof at or near his house, and the rest of the land was granted to nine persons, including Thomas Howes, Sr., who were to pay Nickerson their equal proportions of what he should show he had paid for the land, and they were given liberty to purchase other land there not to exceed 100 acres apiece.(w) March 6, 1665-6, Mistress Howes complained that some Indians had sold her a parcel of sturgeon and had not delivered them, whereupon the court ordered the Indians to make satisfaction unto her for the same.(x) On the same date, letters of administration were granted unto Mistress Mary Howes on the estate of Mr. Thomas Howes, deceased.(y)

The will of Mr. Howes is printed in 6 Mayflower Descendant, 157. It was dated Sept. 26, 1665, and proved March 7, 1665-6. It was witnessed by Thomas Thornton and Anthony Thacher. The record(z) states that after its date it was read over to him and acknowledged to be his last will Oct. 6, 1665, in the presence of his

wife and of Mr. Anthony Thacher and the latter's wife Elizabeth. He made his wife Mary executrix and his friends Mr. Anthony Thacher and Robert Dennis "feofees in trust" to see to the performance of this most last will." He gave certain lands to his eldest son Joseph, his second son Thomas and his youngest son Jeremiah, after his and his wife's decease. He willed that his three sons should have and hold the upland and meadow he had given them and placed them in possession of. To his wife he gave his dwelling house, his outhouses and all the land then in his possession during her life, but if she married, she was to have only the thirds of them.

"And my will is that shee alsoe have all my moveable goods both within and without after my Debts bee payed att her Dispose for her use and benefitt; provided shee Dispose and give the remaine of them; att her Decease or marriage unto my said Children but in such and such proportions as shee shall see meet."

All the rest of his lands he gave to his wife "to bee Desposed of and given unto my said Children as shee pleaseth att or before her Decease." He also provided that his son Thomas, in consideration of his gifts in the will, was to teach his grandson Samuel the trade of a cooper, to give Samuel when twelve years old a mare of three years, and to keep the dwelling house in repair during the life or widowhood of his wife. The will mentions six acres of land that had been William Nickerson's.

The inventory of his personal estate, taken Oct. 18, 1665, was sworn to by the widow Feb. 26, 1665-6. It amounted to £242 14s., and mentioned £23 19s. 3½d. of debts to be

(w) 4 ib. 96, 97, 101, 102.

(x) Ib. 115.

(y) Ib. 117.

(z) 2 Plym. Col. Wills, pt. 2, p. 31.

The Rev. Dr. Reuben Wing Howes of New York city informs the compiler that the original will of Thomas¹ Howes is at "Morningthorpe," Brewster, Putnam county, N. Y., an estate in the possession of the widow of Seth B. Howes, which upon her death will pass to her late husband's grand-nephew, Leander Townsend Howes, a son of Dr. Howes.

paid. Included in the inventory were two Bibles and other books, appraised at £2.(a) By deed dated Feb. 9, 1667-8, his three sons made division of his real estate.(b) Dec. 23, 1695, the inventory of the personal estate of the widow (then Mrs. Prence) was taken by John Miller and Thomas Folland. It was sworn to Dec. 31, 1695, by her son, Mr. Jeremiah Howes, Sr. It mentions Thomas and Jonathan Howes, a cow at Jeremiah Howes's, a debt of £7 8s. due to Jeremiah Howes, Jr., an old chest and a cupboard at Prence Howes's, and an old Bible, appraised at 4s. The inventory, less debts, amounted to £42 2s. 7d.(c) Swift in "Old Yarmouth" (p. 47) says respecting Thomas' Howes:

"Nothing is known of Mr. Howes before his coming to this country, neither have we any knowledge in what part of England he originated. He was in Salem in 1635."(d)

"That he was a man of much influence, great maturity of judgment, and of considerable importance in the Colony, is sufficiently attested." (p. 48).

"It need not, however, be inferred from the fact that the first dwelling houses of the settlers were small and unpretentious, that they were necessarily an indigent and humble class of people in point of worldly fortune. In respect to some of them we know

this would not be a correct estimate. Anthony Thacher, Edmund Hawes and Richard Sears were certainly men of education and social standing in England, and Thomas Howes, John Crow, Edward Sturges, Andrew Hallet, Nicholas Simpkins and others appear to have belonged to the substantial middling class, either staunch yeomen or educated gentlemen. They built such houses as their condition required of them as pioneers of a new country; whose first care was to shelter their families while they were preparing the soil, making roads and enclosing their plantations. The next generation saw a great change in their style of living, as well as in their habitations."(pp. 79, 80.)

Thomas' Howes and Samuel House of Scituate were not brothers and there is no evidence that they were related.(e)

Children.(f)

- II. Joseph
- III. Thomas
- IV. Jeremiah

(e) 66 N. E. Reg. 357, 358; 67 ib. 261; 69 ib. 284; 2 Otis's Barn. Families, 54-57.

(f) It is not known whether he had other children who died before him nor whether he left one or more daughters, but, in the absence of all mention of them, we must assume that he did not. It is, therefore, probable that Austin is in error in assuming in "Allied Families" (pp. 53, 136, 137) that Elizabeth Howes who, as he says, according to the Friends' records, married June 28, 1665, Daniel Butler of Sandwich and Falmouth and died in 1717, was his daughter.

(a) Ib. 33; 6 Mf. 159.

(b) 3 Plym. Col. Deeds, 106, 167; 6 Mf. 232.

(c) 2 Barn. Prob. Recs. 12; 6 Mf. 234.

(d) There is no proof nor is there reason to think that he was in this country as early as 1635 or that he ever resided in Salem.

SECOND GENERATION.

II. JOSEPH² (Thomas¹) Howes; b. in England in 1634 or before; m.(g) Elizabeth² (Rev. John¹) Mayo; d.(h) Jan. 19 and buried Jan. 21, 1694-5. She d.(h) March 12 and was buried March 16, 1700-1. He was brought to New England by his parents and resided in the part of Yarmouth now Dennis. In 1676 in the rate "towards the charges of the late war" his tax was £7 11s.(i) In 1698 his widow was taxed £4 4s. 6d.(j) June 8, 1655, Joseph Howes was propounded to take up his freedom.(k) June 3, 1657, he was admitted and sworn.(l) June 4, 1661, he was on the grand jury.(m) June 7, 1665, he is named as constable of Yarmouth.(n) The same date he was appointed one of three persons to lay out the 100 acres of land granted to William Nickerson at Monomoy (later Chatham) and to place in possession the nine grantees of the lands not allowed to Nickerson. The warrant was dated June 30, 1665.(o) March 6, 1665-6, as constable of Yarmouth, he complained that Thomas Starr had opposed him and used threatening language against him in the execution of his office. The case being tried before a jury, Starr was found guilty

- (g) 1 Otis, 25, 220, 222.
- (h) Yarmouth Recs.; 2 Freeman, 202, 203.
- (i) Swift, 105.
- (j) Records of Superior Ct. of of Judicature, No. 4600; Rec. Book, 1686-1700, p. 297; Supreme Ct. Clerk's Of., Boston.
- (k) 3 Plym. Col. Recs. 78.
- (l) Ib. 117.
- (m) Ib. 215.
- (n) 4 ib. 91.
- (o) Ib. 96, 97, 101, 102, 135.

and the court fined him £5.(p) The same date he was approved as one of the selectmen of Yarmouth.(q) June 5, 1666, he was one of the selectmen of Yarmouth approved by the court.(r) June 30, 1667, he signed a paper to the General Court in favor of the Rev. Thomas Thornton against an attack by Nicholas Nickerson.(s) June 5, 1671, he was one of the surveyors of highways of Yarmouth.(t) June 5, 1672, he was on the grand jury.(u) and the same date he is mentioned as a surveyor of highways for Yarmouth.(v) In 1679 Joseph Howes and two others were appointed a committee to collect the residue of the salary due the minister.(w) In February, 1680, the town agreed upon him, with Samuel and Jeremiah Howes, to secure to it all such whales as should be cast up between Saw-suit Harbor mouth and Yarmouth Harbor, for £4 a whale.(x) July 7, 1681, he was on the jury in several suits.(yz) June 6, 1682, Joseph Howes was on the grand jury.(a) June 6, 1683, June 2, 1685, and June, 1686, he is mentioned as one of the selectmen of Yarmouth.(b)

Joseph² Howes left a will, dated

- (p) Ib. 115.
- (q) Ib. 117.
- (r) Ib. 124.
- (s) Swift, 90, where a reduced facsimile of his signature may be seen. See "Edmond Hawes," 139, by the compiler.
- (t) 5 Plym. Col. Recs. 58.
- (u) Ib. 91.
- (v) Ib. 93.
- (w) Swift, 108.
- (x) Swift, 109.
- (yz) 7 Plym. Col. Recs. 241-243.
- (a) 6 ib. 85.
- (b) Ib. 108, 168, 186.

Jan. 7, 1694-5, and proved Feb. 7, 1694-5.(c) He mentions his wife Elizabeth, his sons Samuel, Joseph, John, Nathaniel, Thomas and Amos, and his daughters Mary Hallett, Elizabeth Myrick and Hannah Howes. His sons Nathaniel, Thomas and Amos and his daughter Hannah were under the age of 21 years. He named his wife and his son Joseph his executors, and his brothers Jeremiah Howes and John Mayo to advise and help them. The inventory of his estate, taken Jan. 30, 1694-5, and sworn to Feb. 7, 1694-5, amounted to £288 in real estate and £166 18s. in personal property; total, £454 18s.(d) Included in his inventory are the following items:

A share in a whale boat	£1 0s.
A try pot and materials belonging to it,	3 0
A great pewter platter	0 15
Four platters	1 0
Books	2 12
Arms and ammunition	3 6

The will of his widow Elizabeth Howes, dated Feb. 7, 1694-5, and proved April 1, 1701, gave her dwelling house, barn and homestead to her sons Nathaniel, Thomas and Amos, and the rest of her estate to be divided between all her surviving children. She made her sons Samuel and Joseph executors.(e) Her inventory, dated March 26, 1701, and sworn to April 1, 1701, by her sons Lieut. Samuel Howes, Joseph Howes, Thomas Howes and Amos Howes, amounted to £125 19s. 10d. in personal property.(f) Included in her inventory are the following items:

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- (c) 1 Barn. Prob. Recs. 108.
 (d) Ib. 109.
 (e) 2 Ib. 121.
 (f) Ib. 122.

One pair of Oxen	£ 7 15s. 0d.
Other cattle	27 17 0
Four horses	5 15 0
16 sheep	6 10 0
8 swine	2 2 0
A silver cup	3 15 0
A gun	0 15 0
A cutlas	0 8 0
A rapier	0 6 0
A bible	0 5 0
Other books	0 7 6

Children

as given in the will. The actual dates and order of births are not known, except the order of the sons among themselves and of the daughters among themselves:

1. Samuel, b. ; m.(g) Mary Vincent(g1) Nov. 28, 1689; d.(h) Dec. 24, 1743. His children appear on the Yarmouth records, the oldest b. in September, 1690, and the youngest May 25, 1705.(i) In 1693 he was one of a committee to agree upon

(g) Yar. Recs.; 2 Mf. 209; J. C. Howes, Gen. of the Howes Family, 12.

(g1) J. C. Howes, 12, says that, according to the record, she d. March 24, 1776, in the 100th year of her age. He, however, thinks it was Sarah (Hedge), wife of Thomas, son of Jeremiah² Howes, who thus died, "as," he correctly says, "appears upon her gravestone." But the last mentioned Thomas Howes did not marry Sarah Hedge. His p. 15 is erroneous. It was Thomas, son of Thomas², who married her. Howes's statement of the record is also incorrect. The town record reads that widow Mary Hewes departed this life March 24, 1776, in the hundredth year of her age.

- (h) J. C. Howes, 12. 2 Freeman, 216, says he d. then "in a good old age."
 (i) 11 Mf. 112.

some fit person to teach school.(j) In the rate of 1698 the tax of Joseph Howes was £2 3s. 6d.(k) In the division of the common lands in 1712 Joseph Howes had 30½ shares.(l) The church in the East Precinct of Yarmouth, later Dennis, held its first meeting the last of February, 1721-2, and Joseph Howes, Sr., signed the covenant.(m) In 1739 he was among the proprietors of the common lands in Crocket Neck.(ml)

3. John, b. ; m.(n) 1st Elizabeth Paddock Nov. 28, 1689, and 2d Mary Matthews July 8, 1691; d.(o) April 30, 1736. His 2d wife d.(o) April 8, 1746. In 1693 he was one of a committee to agree on a fit person to teach school.(ol) In 1698 Mr. John Howes was chosen by the town of Yarmouth as one of its representatives in the Massachusetts Legislature, but declined to serve.(o2) In 1698 his tax in the rate of that year was £2 3s. 8d.(o3) He was town clerk and treasurer three years, commencing in 1695.(p) and one of the selectmen 8 years, commencing in

(j) Swift, 116.

(k) Recs. of Superior Ct. of Judicature, No. 4600; Rec. Book 1686-1700, p. 297.

(l) Swift, 126, 128.

(m) Deyo's Barnstable County, 516, 517.

(ml) Swift, 141, 142.

(n) 2 Freeman, 215; J. C. Howes, 13; Yar. Recs.; 2 Mf. 209; Yar. Reg. Dec. 3, 1846.

(o) 2 Freeman, 215; J. C. Howes, 13; 2 Mf. 209.

(ol) Deyo, 520.

(o2) Swift, 118.

(o3) Superior Ct. Recs. as above, p. 9.

(p) Swift, 238.

1707.(q) In 1710 he was chosen one of a committee to report a list of persons entitled to a portion of the public lands and the number of shares each was entitled to, according to a plan previously adopted. The report of the committee was confirmed and John Howes was on the relief committee to hear and report on grievances, which committee reported but few changes.(r) On the division of the common lands in 1712 he received 28 shares.(s) In 1716 a new meeting house was built and Mr. John Howes was one of the building committee chosen to determine the dimensions and contract with the workmen.(t) In 1721 a committee was appointed to devise some plan for disposing of the town's share of £50,000 issued by the Province and loaned to the towns. Mr. John Howes was one of the committee.(u) His will(u1) was dated Feb. 18, 1734-5, and proved July 7, 1736. He mentions his wife Mary and his children John, James, Elizabeth, and Sarah Eldredge.(u2)

4. Nathaniel, b. ; m.(v) Esther Ryder Feb. 22, 1704-5; d.(v) July 26, 1745. She d.(v) Nov. 27, 1763. His will,(v1) dated June 10, 1745, and proved Oct. 9, 1745, mentions his wife Esther, his children Nathaniel,

(q) Ib. 237.

(r) Ib. 125.

(s) Ib. 127.

(t) Ib. 136.

(u) Ib. 137.

(u1) 5 Barn. Prob. Recs. 272, 273.

(u2) Austin's Allied Families, 187, makes his 1st marriage Jan. 28, 1689-90, and his death June 30, 1736.

(v) 2 Freeman, 216; J. C. Howes, 13; Yar. Recs.

(v1) 6 Barn. Prob. Recs. 449, 450.

Zaccheus, Hannah Sears, Rebecca Hall and Esther Howes, and his grandsons Nathaniel Sears and Nathaniel Hall. In the rate of 1698 his tax was £2 and over.(w) In the division of the common lands in 1712 he had 25 shares.(x) The first meeting of the church in the East Precinct of Yarmouth, later Dennis, was held in his house.(x1)

5. Thomas, b. about 1680; m.(y) in Eastham Dec. 11, 1701, Content² (Daniel², Ralph¹) Smith; d. between May 29, 1736 (date of his will), and Oct. 19, 1738 (date of probate).(z) The will mentions his wife Content and his children Daniel, Joseph, Thomas, Elizabeth (wife of Samuel Stewart), Mary Howes, Thankful Howes, and Hannah Howes. The inventory, sworn to March 9, 1741-2, amounted to £2353 1s. 6d.(z1) The real estate was divided Jan. 4, 1769, 1-3 to Capt. Daniel Howes, 1-3 to Joseph Howes and 1-3 to the heirs and legal representatives of Thomas Howes, deceased.(z2) His wife had survived him. He purchased land in Monomoit (later Chatham) in 1703 and settled there. He was the ancestor of the Howes family in that town. He was one of the selectmen two years and town treasurer two years. He was successively ensign, lieutenant

(w) Superior St. Recs. as above, p. 9.

(x) Swift, 127.

(x1) Deyo, 517, 518.

(y) East. Recs.; will of Daniel² Smith, 3 Barn. Prob. Recs., 63; 7 Mf. 18. J. C. Howes erroneously says (p. 13) that he married Rebecca Howes.

(z) 5 Barn. Prob. Recs. 366, 367.

(z1) 6 ib. 111.

(z2) 13 ib. 410.

and captain of the military company.(a) March 13, 1715-16, he with others signed a paper in behalf of Ebenezer Hawes in the suit of the Rev. Hugh Adams against the latter.(a1)

6. Amos, b. ; m.(b) Susanah Hedge May 22, 1701; d.(b) Feb. 16, 1717-18. She d.(b) Jan. 24, 1755. His children or some of them appear on the Yarmouth records, the oldest b. in April, 1702.(c) In the division of the common lands in 1712 he had 25 shares.(d)

7. Mary, b. ; m.(e) John Hallett Feb. 16, 1681-2.

8. Elizabeth, b. ; m. Joseph Merrick of Eastham May 1, 1684.(f,g)

9. Hannah, b. ; m.(h) William Matthews Dec. 15, 1698.

Will of Joseph² Howes.

I, Joseph Hows of ye Town of Yarmouth in ye County of Barnestable in ye Province of ye Massachusetts in America being weak in body but of sound and disposing mind and memory and not knowing ye day of my death do make constitute and ordaine this my last will and testa-

(a) Early Chatham Settlers, by Wm. C. Smith, in Yarmouth Register, 1915.

(a1) Files 10812, Superior Ct., Supreme Ct. Clerk's of., Boston.

(b) J. C. Howes, 13; Yar. Recs.

(c) 10 Mf. 245.

(d) Swift, 127.

(e) Yar. Reg. Dec. 3, 1846; Yar. Recs.; 2 Mf. 207.

(f,g) 7 Mf. 12; 6 N. E. Reg. 169; 3 Savage's Genealogical Dictionary of New England, 198; Merrick Geneal. 18 and 2 Freeman, 391 n., erroneously say that they were m. May 8, 1684.

(h) J. C. Howes, 11.

ment in manner following and do hereby anul and mak void all other and former wills whatsoever viz:

Imprimis I do give myself wholly and intierly unto ye Lord my God to be his alone both in life and death and unto Eternity to God ye father to be my God and Father in and through ye Lord Jesus Christ; to ye Lord Jesus Christ my dear Lord and Redeemer to ye holy Ghost my Blessed Comforter I give my soul unto God that gave it and my body to decent burial as to my Executors hereafter named shall seem convenient in firm hope of a glorious resurrection that I may meet and be ever with ye Lord. And as for that portion of worldly goods which God of his grace has been pleased to bestow upon me an unworthy worm far above my desarts I do dispose of ye same in manner following I do confirm to my loving son Samuel Howes all those lands I have formerly given him as his child's portion with all ye ways priviledges and easements thereto belonging to be to him and his heirs forever.

Item I do give and confirm to my loving son Joseph Howes all those lands both upland and meadow which I have formerly given him as his child's portion both upland and meadow to be to him and his heirs forever with all ye ways easements and priviledges thereto belonging.

It. to my loving son John Howes I do confirm all those lands which I formerly gave unto him boath upland and meadow with all ye ways easements and priviledges thereunto belonging to be to him and his heirs forever.

It. To my other three sons Nathaniel Thomas and Amos Howes I do give all ye rest of my lands to

be equally divided between them by my executors to be to them and their heirs forever with this proviso that if my loving wife Elizabeth shall have occasion for it shee shall have liberty during her widdowhood to make use of one third part of it and if eather of these my three sons shall dy before they come of age such part shall be divided equally between all my surviving sons And as they come to ye age of twenty one years so they shall possess their part only except as hereafter excepted.

It. To my daughter Mary Hallett I give twenty shillings in household goods as they shall be apprizd.

It. To my daughter Elizabeth Mirrick I give Twenty shillings in household goods as they shall be apprizd.

It. To my daughter Hannah Howse I give thirty pounds to be paid to her by my executors on her marriage or at ye age of twenty-one years

It. I do give to ever one of my grandchildren which I now have a Bible to be paid them by my executors soone after my death

It. I do give my house and homestead lands chattels plate money and all other my estate whatever it be I do give it to my dear and loving wife Elizabeth to be to her use and behoof during her widdowhood And if shee live and dye a widdow to be by her disposed to my children as she shall see meet. but if she shall marry again after my decease then one third part of it to be her own proper estate and ye rest to be equally divided between all my children.

It. I do appoint constitute and ordaine my loving wife Elizabeth and my loving son Joseph Howse executors of this my last will and testament and I do desire my loving brother Jeremiah Howse and John Mayo to

be overseers to take care of advise and help, for performing of this my last will and testament January 17, 1694-5.

Joseph Howes (seal)

Signed sealed and delivered
as my last will and testament

In presence of
Jonathan Russell
Thomas Sturgis
John Paddocke

Will of Elizabeth Howes.

I, Elizabeth Howse of Yarmouth In the County of Barnstable In ye Province of the Massachusetts wid. Relict of Joseph Howse late deceased being weake in body but of good and disposing minde and memory and calling to minde the frailty and uncertainty of my present life, do for the setting my house in order make constitute and ordain this my last Will and Testament hereby anuling and making void all other wills whatsoever.

Imps. I do give up myself intirely unto God as being my God and father to the Lord Jesus Christ as my Lord and Redeemer and the holy Ghost as my Comforter, I give my spirit unto God that gave it and my body to desent burial as to my Executors hereafter mentioned shall sem meet In firm hope of a blessed Resurrection att the great Day to be then forever with the Lord and as for that portion of worldly estate which God of his Grace has been pleased to bestow uponme I do dispose of it in manner following.

It. I do give and confirm to my three sons Nathan Thomas and Amos Hows my now Dwelling house, barn and homestead with all ye priviledges and appurtinances thereto belonging

to be equally divided between them after my death according as I know it was my late dear husbands minde

Item. My will is that all the rest of my estate of what kind soever it bee shall be equally divided between all my children sirviving at my death.

It. I do make constitute and ordain my loving sons Samuel & Joseph Hows my executors of this my Last Will Testament In witness whereof I have hereunto sett my hand and seale this seventh day of February one thousand six hundred ninety and foure five

Elizabeth X Hows (seal)

Signed sealed and declared to be
my last Will and Testament

In presence of
Jonathan Russell
Thomas Sturges
John Paddocke

III. THOMAS² (Thomas¹) Howes;
b. probably in England ; m.(i)
in 1656 Sarah² (Edward³) Bangs

; buried(j) Nov. 20, 1676. She
d.(j) the last of February, 1682-3.
He was brought to New England by
his parents and resided in the part
of Yarmouth now Dennis. He took
the oath of fidelity in 1657.(k) He
was one of the selectmen of Yar-
mouth for 6 years, commencing in

(i) 14 Mf. 199, 200; 1 Savage 111;
2 Freeman, 194. See will of Edward
Bangs (3 Plym. Col. Wills, pt. 2, p.
106; 14 Mf. 193, 197), where it appears
that his daughter Rebecca m. Jona-
than Sparrow. 10 N. E. Reg. 157
erroneously gives the year of the mar-
riage as 1756.

(j) Yar. Recs.; Yar. Reg. Nov. 26,
1846.

(k) 8 Plym. Col. Recs. 185, 186.

1668.(l) He was a deputy to the General Court at Plymouth for seven years, commencing in 1668.(m) He was appointed captain of the military company June 3, 1674(n), and is usually called Capt. Thomas Howes. In 1742 Ebenezer Goodspeed, then 86 years old, swore that he was a soldier in the Narragansett wars so-called under Capt. Thomas Howes.(o) Capt. Howes served in the 3d expedition in King Philip's war with eight one-month's men and in the fifth expedition with 21 men. His wages on the third expedition were £6.(p) June 1, 1663, he was on the grand jury.(q) April 2, 1667, he was appointed one of the council of war for Yarmouth.(r) June 5, 1667, he was sworn as constable of Yarmouth.(s) June 30, 1667, he signed a paper to the General Court in favor of the Rev. Thomas Thornton against an attack by Nicholas Nickerson.(t) Oct. 30, 1667, at the request of the town, the Court added Andrew Hallett, Thomas Howes, and John Thacher to the committee of Yarmouth for the disposing of lands in that town.(u) June 3, 1668, he is mentioned as one of the deputies to

the General Court.(v) The same date he was one of the selectmen of Yarmouth.(w) At the same date also he complained against William Nickerson, Sr., Nathaniel Covell, Samuel Nickerson, Joseph Nickerson, and William Nickerson, Jr., for affronting him in the execution of his office while he was constable of Yarmouth and offering divers abuses to him. They were convicted and punished.(x) June 1, 1669, he is mentioned as a deputy to the General Court.(y) In 1670 he was collector of minister's rates.(z) May 29, 1670, he was one of the freemen of Yarmouth.(a) June 7, 1670, he was a deputy;(b) also, June 5, 1672, when he is styled Ensign Howes.(c) The same date he was one of the selectmen of Yarmouth,(d) and also, June 3, 1673, when he was also a deputy.(e) April 28, 1672, he was on a jury of inquest to inquire into the death of a child in Yarmouth, and signed the verdict.(e1) Oct. 30, 1672, he owned one-third of a parcel of nets and of a boat in partnership with Thomas Doten and Lt. Morton, together with a third of the ropes, anchors and sails appertaining to the boat.(f) June 7, 1673, and June 9, 1676, he was on the committee that took the Colonial Treasurer's account, and signed

(l) Plym. Col. Recs.

(m) Ib.

(n) Bodge's King Philip's War, 455; 5 Plym. Col. Recs. 146.

(o) Bodge, 441.

(p) Swift, 99, 100, 102, 103.

(q) 4 Plym. Col. Recs. 37.

(r) Ib. 145, 146.

(s) Ib. 148.

(t) Swift, 90, where a reduced facsimile of his signature may be seen; "Edmond Hawes" (139), by the compiler.

(u) 4 Plym. Col. Recs. 167.

(v) Ib. 180.

(w) Ib. 182.

(x) Ib. 183, 184.

(y) 5 ib. 17.

(z) Ib. 37.

(a) Ib. 274, 276.

(b) Ib. 34.

(c) Ib. 90.

(d) Ib. 92.

(e) Ib. 113, 114.

(e1) 5 Plym. Col. Recs. 95.

(f) 7 ib. 173.